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--19. (New) An optical device according to claim 13, wherein said second filter layer is composed of a material stronger than a strength of a material of said first filter layer.--

REMARKS

Claims 2, 3 and 7, 8, 10 and 12-19 are pending. By this Amendment, claims 2, 7 and 10 are amended, claims 12-19 are added, and claims 5, 6, 9 and 11 are cancelled. The attached Appendix includes a marked-up copy of each rewritten claim (37 C.F.R. §1.121(c)(1)(ii)).

Applicant thanks Examiner Chang for the courtesies extended to applicant's attorney at the February 13 interview. The substance of the interview is detailed below.

Independent claim 2 has been amended to clarify that the portion of the external circumference of the optical filter which forms the stage includes a portion of one of the surfaces of the first and second filter layers that extends in a direction perpendicular to the optical axis. These amendments are supported throughout the original specification and drawings. See, for example, page 15, line 21 - page 16, line 9 of the specification, the portions of the surface of layer 103 that forms stages 107 and 108 in Figs. 2-3, and the portions of the surface of layer 103 that forms either of the stages 109 and 110 in Figs. 5A and 5B. The claims also have been amended in a non-narrowing manner in order to change "conversion device" to --converter--. Claim 12 is supported at page 11. Claim 13 is similar to claim 2, except that it recites a "stepped portion" instead of a stage, it recites a holding member (as was recited in cancelled claim 5), and it recites where the holding member engages the surface in the stepped portion. Claims 14-19 are similar to claims that depend on claim 2, or that depended on claim 5. Accordingly, no new matter is added by the above amendments.

Claim 9 stands rejected under 35 U.S.C. §112, second paragraph. This rejection is moot.

Claims 5 and 11 stand rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,069,651 to Tsuyuki et al. In addition, claim 6 stands rejected under 35 U.S.C. §103(a) over Tsuyuki et al., as applied against claim 5, and further in view of U.S. Patent No. 4,302,078 to Stravitz. These rejections are moot.

Claims 2, 3 and 7-10 stand rejected under 35 U.S.C. §103(a) over Tsuyuki et al. in view of U.S. Patent No. 6,011,661 to Weng. This rejection is respectfully traversed.

As was agreed during the interview, neither of these references discloses or suggests providing an optical filter having first and second filter layers with different sizes, such that a stage is formed on a portion of one of the surfaces of the first and second filter layers that extend in a direction perpendicular to the optical axis of the light flux as recited in independent claim 2.

The Office Action recognizes that Tsuyuki et al. does not disclose or suggest varying the sizes of filters 59 and 61. Rather, filters 59 and 61 have the same size. The Office Action attempts to rely upon Weng to provide a motivation for modifying the size of one of the Tsuyuki et al. filters. However, Weng does not disclose or suggest providing a filter made from first and second layers having different sizes.

Weng merely discloses a filter 2 having a single layer and a single size. There are no first and second layers with different sizes in the filter 2 of Weng. While Weng discloses that the size of the filter is smaller than the surface of a window 14, there is no suggestion in Weng to provide a filter having first and second layers with different sizes such that a stage is formed on a portion of the surface of one of the layers that extends in a direction perpendicular to the optical axis of the filter. The Office Action uses impermissible hindsight when it extrapolates the teachings of Weng to somehow motivate one to provide a filter having two layers with different sizes. It is only after having read Applicant's disclosure that one would be provided with any teaching of the claim 2 filter.

Accordingly, the rejection of independent claim 2 and its dependent claims should be withdrawn.

Claim 13 and its dependent claims are patentable over the applied references at least because none of the references discloses or suggests an arrangement in which a holding member engages a surface within a stepped portion of an optical filter as claimed.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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Attachment:
Appendix

Date: February 14, 2002

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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APPENDIX

Changes to Claims:

Claims 5, 6, 9 and 11 are cancelled.

Claims 12-19 are added.

Claims 2, 7 and 10 are amended.

The following are marked-up versions of the amended claims:

2. (Twice Amended) An optical filter that is provided at an optical path between a photoelectric ~~conversion device~~converter, which converts a subject image formed at a light-receiving surface thereof to an electrical signal, and an optical system which forms the subject image with a light flux from the subject at said photoelectric ~~conversion device~~converter, to filter the light flux, comprising:

a plurality of filter layers that are laminated along a direction of an optical axis of the light flux that passes through the optical filter, the plurality of filter layers including at least a first filter layer and a second filter layer which are laminated with each other; and

a stage formed at least at a portion of an external circumference of the optical filter by varying a size of a surface of said first filter layer along a direction perpendicular to the optical axis from a size of a surface of said second filter layer along at the direction perpendicular to the optical axis, wherein the portion of the external circumference of the optical filter which forms the stage includes a portion of one of the surfaces of the first and second filter layers that extends in the direction perpendicular to the optical axis.

7. (Amended) An optical filter according to claim 2, wherein:

said first filter layer is located at a side closer to the subject than said second filter layer; and

a size of at the surface of said first filter layer is smaller than a size of at the surface of said second filter layer.

10. (Amended) An optical filter according to claim 2, wherein:
said second filter layer is composed of a material stronger than a strength of a material of said first filter layer; and
a size of athe surface of said first filter layer is smaller than a size of athe surface of said second filter layer.